

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<u>STURGEON, et al.,</u>	:	
	:	
Plaintiff,	:	
	:	
v.	:	CIVIL ACTION NO. 15-6829
	:	
PHARMERICA CORP.,	:	
	:	
<u>Defendant.</u>	:	

ORDER

AND NOW, this 5th day of February 2020, upon consideration of Defendant's Motion to Dismiss [Doc. No. 51] and Motion for Judicial Notice [Doc. No. 52] and the responses and replies thereto, and for the reasons explained in the accompanying Memorandum Opinion, it is hereby **ORDERED** that the Motions are **GRANTED in part and DENIED in part** as follows:

1. The Motion for Judicial Notice [Doc. No. 52] is **GRANTED** as to Exhibits A, B, C, D, E, F, G, and H, at Doc. No. 52, **GRANTED** for a limited purpose as to Exhibits I, J, and K, at Doc. No. 77, and **DENIED** as to Exhibits L, M, and N, at Doc. No. 77.
2. The Motion to Dismiss [Doc. No. 51] is **GRANTED** as to Relators' claims under 31 U.S.C. § 3729(a)(1)(G), which are hereby **DISMISSED** without prejudice. Relators may amend the First Amended Complaint by **February 26, 2020**.
3. The Motion to Dismiss [Doc. No. 51] is **DENIED** as to Relators' claims under 31 U.S.C. §§ 3729(a)(1)(A) and (B).
4. The Motion to Dismiss [Doc. No. 51] is **DENIED** as to the retaliation claims.

It is so **ORDERED**.

BY THE COURT:

/s/ Cynthia M. Rufe

CYNTHIA M. RUFÉ, J.